

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARRYL W. CHAPMAN,

Defendant.

ORDER

06-CR-009-S-01

The government's motion for reduction of sentence pursuant to Rule 35(b), Federal Rules of Criminal Procedure, came on to be heard before the Court in the above entitled matter on October 19, 2007, the government having appeared by Erik C. Peterson, United States Attorney for the Western District of Wisconsin, by Paul W. Connell, Assistant United States Attorney; defendant in person and by Thomas Wilmouth. Honorable John C. Shabaz, District Judge, presided.

The Court finds that defendant has provided substantial assistance as represented by the government. Accordingly, the government's motion for a reduction of sentence is granted. The Court reduces defendant's offense level by two levels to a total offense level of 25. Pairing a total offense level of 25 with a criminal history category IV results in an advisory guideline imprisonment range of 84 to 105 months.

A sentence in the upper half of the reduced range is sufficient to hold defendant accountable for his serious criminal conduct and to protect the community from further criminality on his part. A 102-month term of imprisonment is reasonable, responsible, relevant and necessary to accomplish these purposes as set forth in 18 U.S.C. § 3553(a). Such a sentence continues to hold defendant accountable for his criminal conduct, while factoring in his substantial assistance.

ORDER

IT IS ORDERED the judgment which was entered on April 19, 2006 be amended to provide that defendant is to be committed to the custody of the Bureau of Prisons for a term of 102 months. In all other respects, the judgment will remain as entered on April 19, 2006.

Entered this 19th day of October, 2007.

BY THE COURT:

/s/

JOHN C. SHABAZ
District Judge